

MEMBERS PRESENT

Peg Birney
Brian Callahan
Thomas J. Knips, Chairman
Robert LaColla
Sheila Lahey
Robert Rahemba
Joel Sasser, Alternate
David Stenger

MEMBERS ABSENT

Tom Chang, Alternate

OTHER PRESENT

Christopher J. Colsey, Town Director of Municipal Development
Maryann Johnson for J. Theodore Fink, Town Planning Consultant
John A. Morabito, Senior Planner, Town Planning Consultant
Thomas F. Perna, President
Richard Rang, P.E.
Timothy O'Brien, P.E.
Daniel Zalinsky, President
Pete Galotti
Arthur F. Brod, Jr., AICP

Hudsonia presented the findings of their recent completed study entitled, "Significant Habitats of Fishkill and Sprout Creek Corridors." This was an educational seminar which commenced at 6:00 p.m. and ended at 7:05 p.m.

The meeting was called to order at 7:10 p.m. by Thomas J. Knips, Chairman.

MARCH 23, 2006 PLANNING BOARD MEETING MINUTES

Mr. Knips stated the Chair will entertain a motion to adopt the March 23, 2006 Planning Board Meeting Minutes as amended. So moved by Mr. LaColla. Seconded by Mrs. Lahey. Motion carried.

REVIEW**RAINBOW RIDGE PET CEMETERY AND CREMATORY
SITE DEVELOPMENT PLAN & SPECIAL USE PERMIT**

Mr. Colsey stated the Planning Board has a copy of the agreement prepared by the Town Attorney which the Supervisor and applicants have executed. Mr. Colsey stated two (2) weeks ago the applicant had the crematorium delivered and that is the purpose of this document to allow them to place this and start work prior to the Site Plan drawings being signed by the Applicant.

Mr. Rahemba stated where Mrs. Shebanie signed as "witness," the Supervisor's name needs to be inserted. Mrs. Birney stated as Mrs. Lahey points out that the date needs to be entered on item number 11.

REVIEW
JCN PROPERTIES, LLC - SITE DEVELOPMENT PLAN
& SPECIAL USE PERMIT

Mr. Colsey stated read the memorandum to the Chairman from the Town Engineer dated March 24, 2006.

Mrs. Birney asked that Mr. Colsey summarize Mr. Andrews' memorandum to the Board dated May 12, 2005. Mr. Morabito stated this is a legalization of the site, as the site was established without the benefit of any Town approvals. Mr. Colsey read the memorandum from Mr. Andrews dated May 12, 2005.

REVIEW
STADIUM PLAZA STADIUM PLAZA (F.K.A. WATERFRONT AT FISHKILL
PHASE VI RETAIL PARCEL) SUBDIVISION

Mr. Knips stated he is recusing himself from this discussion and the public hearing and appointed Mrs. Lahey, Acting Chair. Mr. Perna stated that he is seeking approval to resubdivide a parcel totaling 32.824 acres into three (3) lots. Mr. Perna stated that Lot 1 will consist of 2.038 acres, Lot 2 will consist of 1.995 acres and Lot 3 will consist of 28.791 acres. Mr. Perna stated that the parcel for this proposal is located at 1485 Route 9D, in the GB (General Business) Zoning District. Mr. Perna stated the property is being subdivided for financial purposes only and nothing on the site will change other than the lot lines.

Mrs. Birney asked why not one big lot rather than three (3) lots. Mr. Perna stated for financial reasons three (3) lots are required. Mrs. Birney asked what building numbers belong to each lot. Mr. Perna stated that Building A is located on Lot 1, Building B is located on Lot 2 and Lot 3 will be utilized in the future for retail purposes.

PUBLIC HEARING
STADIUM PLAZA (F.K.A. WATERFRONT AT FISHKILL PHASE VI RETAIL PARCEL)
SUBDIVISION

The public hearing was called to order at 7:30 p.m. Mrs. Lahey read aloud the Notice of Public Hearing.

Mrs. Lahey asked if there were any questions, comments or concerns regarding this proposal.

Shirley, a member of the Beulah Baptist Church, asked where the traffic light is going to be installed. Mr. Perna stated the traffic light will be south of the church. Shirley stated that before the new construction began they could come from the north on Route 9D and there are now double lines and they can't do that any more and can it be changed. Mr. Perna stated that the NYSDOT is the one that has instructed him to do the road work. Mr. LaColla suggested that Shirley contact the NYSDOT.

Mr. Colsey reviewed Mr. Andrews' memorandum to the Board dated April 11, 2006; a copy of this memorandum is attached to the original minutes.

FINAL

PUBLIC HEARING
STADIUM PLAZA (F.K.A. ATERFRONT AT FISHKILL PHASE VI RETAIL PARCEL)
SUBDIVISION
(CONTINUED)

Mr. Morabito reviewed his memorandum to the Board dated April 13, 2006; a copy of this memorandum is attached to the original minutes. Mr. Morabito stated in addition to the cross access and maintenance agreements we may need a shared parking agreement but he defers to Mr. Volkman on this. Mr. Morabito stated his comments are very minor. Mr. Perna stated he has received the comments from the Town Engineer and Town Planning Consultant and will have the corrections made as soon as possible.

Mrs. Lahey asked if there were any additional questions, comments or concerns regarding this proposal. There were no further questions, comments or concerns.

Mr. Perna stated he would like the Board to grant a final approval for this subdivision.

Mr. LaColla made a motion to close the public hearing at 7:40 pm. Seconded by Mr. Stenger. Mr. Knips abstained. Motion carried.

Mr. LaColla made a motion that a Resolution of Preliminary and Final Approval be prepared for review at the April 27, 2006 Planning Board meeting. Seconded by Mrs. Birney. Motion carried.

PUBLIC HEARING
VAN WYCK MEWS (F.K.A. MERRITT PARK CONDOMINIUMS)
SITE DEVELOPMENT PLAN

The public hearing was called to order at 7:41 pm. by the Board. Mr. Knips read aloud the Notice of Public Hearing.

Mr. Rang stated that they are seeking Preliminary Site Development Plan Approval for the construction of 337 condominium flats within 16 multi-family buildings and two (2) mixed-use buildings, the development of a total of 21,790 S.F. of accessory neighborhood-level non-residential use within the mixed-use buildings, the construction of a clubhouse and recreation area and the installation of supporting improvements including access roadways, parking areas, water supply and sanitary sewage facilities, stormwater facilities, landscaping, lighting and other improvements. Mr. Rang stated that the parcel for this proposal is located on the south side of Merritt Boulevard, in the RMF-5 and R-4A Zoning Districts and shall consist of 51.094 acres. Mr. O'Brien reviewed the cross-section drawing of the wall that was requested by the Board at the last Planning Board meeting. Mrs. Birney asked if you would see the wall from NYS Route 52. Mr. Rang and Mr. O'Brien stated they would doubt it. Mr. Rang submitted a visual simulation of Van Wyck Mews from NYS Route 52.

Mr. Stenger asked what the wall is going to look like. Mr. Rang stated it is going to be a T-Wall and it will be stepped so they can landscape in between the steps and at the bottom.

Mr. Rang stated Mrs. Birney asked if you would be looking at the power lines from the units at the previous Planning Board meeting but in fact you will actually be looking out over the power lines.

FINAL

PUBLIC HEARING
VAN WYCK MEWS (F.K.A. MERRITT PARK CONDOMINIUMS)
SITE DEVELOPMENT PLAN
(CONTINUED)

Mr. Knips asked if there were any questions, comments or concerns regarding this proposal. There was no one present from the general public.

Mr. Knips asked if there were any additional questions, comments or concerns regarding this proposal. Mr. LaColla stated that the architectural rendering is beautiful.

Mr. Marino stated the fire department access road requirement was discussed with Mr. Andrews and has been verified with NYS. Mr. Marino stated that one of the sides of the boulevard has to be 20' wide and unobstructed. Mr. Rang stated they will have to look into this as he is not sure how they will accommodate this without losing the boulevard. Mr. Marino stated he will give a copy of the NYS law to Mr. Rang and Mr. O'Brien this evening.

Mr. Rang reviewed the architectural rendering of the entrance wall and buildings and noted that a logo is not on it as it has not yet been finalized.

Mr. LaColla asked how wide the lanes are for the boulevard now. Mr. O'Brien stated 13' wide. Mr. O'Brien stated they are going to have to really look into widening these lanes. Mr. Marino gave a copy of the NYS requirements for fire department access roads to Mr. Rang.

Mr. LaColla made a motion to close the public hearing at 7:57 p.m. Seconded by Mrs. Lahey. Motion carried.

PUBLIC HEARING
RESUBDIVISION OF PARCEL 1, FILED MAP NO. 11813A AND LOT 3,
FILED MAP NO. 11813

The public hearing was called to order at 7:57 pm. by the Board. Mr. Knips read aloud the Notice of Public Hearing.

Mr. Rang stated that they are seeking Preliminary Subdivision Approval to resubdivide Parcel 1, Filed Map No. 11813A together with the land consolidation of a portion of Parcel 1, Filed Map No. 11813A and Parcel 3, Filed Map. No. 11813 with the lands of MBM Company LLC which subdivision involves a parcel totaling 124 acres to be subdivided as follows: Lot 1 shall consist of 33.357 acres, Lot 2 shall consist of 51.094 acres (the project site for Van Wyck Mews) and Parcel A shall consist of 23.198 acres and Parcel B shall consist of 16.352 acres which parcels shall be consolidated with the lands of MBM Company, LLC. Mr. Rand stated that the parcels for this proposal are located on the south side of Merritt Boulevard in the RMF-5 and R-4A Zoning Districts.

Mr. Knips asked if there were any questions, comments or concerns regarding this proposal. There was no one present from the general public.

FINAL

PUBLIC HEARING
RESUBDIVISION OF PARCEL 1, FILED MAP NO. 11813A AND LOT 3,
FILED MAP NO. 11813

Mr. LaColla made a motion to close the public hearing at 8:00 p.m. Seconded by Mrs. Lahey. Motion carried.

Mrs. Johnson stated that she had asked that a steep slope analysis be completed. Mr. Rang asked if that is needed before a Negative Declaration is prepared. Mrs. Johnson stated if she can receive this prior to the next meeting she can draft a Negative Declaration.

Mr. LaColla made a motion that a Negative Declaration be prepared for review at the April 27, 2006 Planning Board meeting once Mrs. Johnson receives the Steep Slope Analysis. Seconded by Mrs. Lahey. Motion carried.

ZBA REFERRAL - APPLICATION NO. ZB06-005 - 299 BAXTERTOWN ROAD
R-40 ZONING DISTRICT

Mr. Knips stated if the adjacent lot gets further subdivided or built upon this addition would be adjacent to the driveway. It was also the consensus of the Board that the ZBA should consider what might happen on the adjacent lot.

Mr. Rahemba stated if this is non-conforming they can only increase the non-conformity by an additional 25%. It was the consensus of the Board that Mr. Rahemba's comment be included in Mr. Colsey's memorandum to the ZBA on this referral.

ZBA AMENDED APPLICATION NO. - ZB06-003 - 142 RIVERVIEW DRIVE
R-20 ZONING DISTRICT

Mr. Colsey stated this was reviewed by the Board about 30 days ago and the lot coverage was an issue and the applicant has now dropped the coverage down by 2 ½ to 3 %. Mr. Colsey stated the size of the addition did not change.

Mrs. Birney stated they still are asking for a tremendous variance for the side yard.

It was the consensus of the Board that this addition still does not fit and that there previous comments still stand.

Mr. LaColla made a motion to close the meeting at 8:30 p.m. Seconded by Mr. Stenger. Motion carried.

Respectfully submitted,
Debbie Davis
Planning Board Secretary

Attachments to the original minutes